

REMARKS

This paper is filed responsive to the Office Action mailed November 1, 2006. Claims 1 to 14 are pending in the application. Claims 3 to 5 stand rejected under 35 U.S.C. §112, second paragraph. Claims 1 to 6 and 8 to 14 stand rejected under 35 U.S.C. §103(a) over the Frieze et al. U.S. Patent No. 5,766,561 in view of the Nord et al. U.S. Patent No. 6,921,502. Claim 7 stands rejected under 35 U.S.C. §103(a) over Frieze et al., Nord et al. and further in view of the Kerr et al. U.S. Patent Publication No. 2001/0046582. Applicant respectfully traverses the rejections and request reconsideration and reexamination of the application.

The Examiner has rejected claims 3 to 5 under 35 U.S.C. §112, second paragraph. Applicant has amended claim 3 to address the lack of antecedent basis.

The Examiner has rejected claims 1 to 6 and 8 to 14 over Frieze et al. in view of Nord et al. The Examiner has further rejected claim 7 over Frieze et al., Nord et al. and further in view of Kerr et al. There is no suggestion for making the alleged combination and even if made it would fail to reach the claimed invention. Frieze et al. disclose a sterilization tray having a mat therein for receiving the articles to be sterilized. Nord et al. disclose floor mats and are primarily concerned with providing cushioning. One of ordinary skill in the art would not seek to combine the cushioning aspects of Nord et al. into the mat of Frieze et al. Users would not be expected to stand upon the mat of Frieze et al. To establish a *prima facie* case of obviousness, it is incumbent upon the Examiner to identify some teaching, suggestion or incentive which supports the combination. Applicant respectfully submits that the Examiner has failed to do so.

The Examiner's logic is that merely because Nord et al. discloses a mat having a pattern on a downwardly facing surface such that no fold line can traverse the mat from one side to the other without intersecting a plurality of ridges that it would therefore be obvious to combine this with Frieze et al. to maximize the adhesion between the mat and the surface that it is lying on. How such a structure would maximize adhesion is not explained. There is no reason to think that such a structure would maximize adhesion

and there is no reason for making the combination. Applicant provides such a structure in the claimed mat to help prevent creep and rolling up of the mat. Nord et al. provide no discussion as to why it would be desirable to have a pattern in which no fold line can traverse the mat from one side to the other without intersecting a plurality of ridges.

The reason Nord et al. failed to discuss this, is that Nord et al. in actuality do not make such a disclosure. The Examiner points to FIGS. 35 and 36 of Nord et al. as evidence of such disclosure. However, FIGS. 35 and 36 do not disclose a structure in which no fold line can traverse the mat from one side to the other without intersecting a plurality of ridges. The nubs that are shown on Figure 36 appear in regular lines and fold lines could easily be formed between the lines of nubs. Figure 35 discloses no ridges, merely a rough texture. Accordingly, even if the references were combined it would fail to reach the claimed invention.

Applicant submits that the application is presently in condition for allowance and request favorable reconsideration and early notice of allowance. If it would speed prosecution, the Examiner is encouraged to contact the undersigned attorney by telephone.

Respectfully submitted,

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Dated: January 31, 2007